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REMARKS

The Office has indicated in the current Office Action that corrected Fig. 15 has been received and accepted.

Claims 8-26, 29-32, 34-36 and 39-47 remain in this application. Claims 1-7, 27, 28, 33, 37, and 38 have been previously cancelled without prejudice.

The Office has indicated in the current Office Action that claims 18-24 are allowed. Applicants appreciate allowance of claims 18-24.

In addition, as pointed out in prior responses, pending claim 12 has not been rejected or objected to the Examiner. Formal allowance of claim 12 is therefore requested.

35 U.S.C. §103

Claims 8-11, 13-14, and 39-47 are rejected under 35 U.S.C § 103 as being unpatentable over U.S. Patent 5,680,354 by Kawagoe (Kawagoe), in view of U.S. Patent 5,730,830 to Yasuhiro (Yasuhiro).

Claims 8-11, 13-14, and 39-47 are rejected under 35 U.S.C § 103 as being unpatentable over U.S. Patent 5,680,354 by Kawagoe (Kawagoe), in view of U.S. Patent 5,730,830 to Yasuhiro (Yasuhiro).

In rejecting these claims, the Examiner's arguments rely on the assertion that signal S2 in Kawagoe's Figs. 3 and 5 is or could be a "periodic signal." The Examiner apparently concedes that the signal is not periodic as used in the Kawagoe device, but rather that it could be made periodic: "it is just a matter of programmable matching." Office Action, page 3, paragraph 3.

Kawagoe's "circuit 4" receives addresses, compares them to addresses of defective cells, and outputs a true signal at S2 if a particular address corresponds

1 to a defective cell. The occurrence of defective cells is random, therefore it is
2 expected that the signal S2 has a random timing depending on the locations or
3 addresses of defective cells. Thus, given any naturally occurring pattern of
4 defective cells, S2 would not be periodic.

5 The Examiner argues that the signal *could be* made periodic by
6 programmatic matching. *However, there is nothing in any of the references that*
7 *would suggest any such programmable matching.* Furthermore, the Examiner has
8 not attempted to show the presence of anything in the prior art that would have
9 suggested such programmable matching. The only thing that could possible
10 suggest such programmable matching would be the applicant's own disclosure.
11 However, the applicant's disclosure cannot properly be used to establish
12 obviousness:

13 To establish a prima facie case of obviousness, three basic
14 criteria must be met. First, there must be some suggestion or
15 motivation, either in the references themselves or in the knowledge
16 generally available to one of ordinary skill in the art, to modify the
17 reference or to combine reference teachings. Second, there must be
18 a reasonable expectation of success. Finally, the prior art reference
(or references when combined) must teach or suggest all the claim
limitations. *The teaching or suggestion to make the claimed*
combination and the reasonable expectation of success must both be
found in the prior art, and not based on applicant's disclosure.

19 MPEP, section 2142, 2100-108 (Rev. 3).

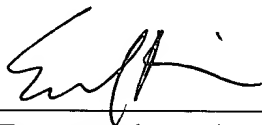
20 Thus, to the extent that the rejections of the currently rejected claims rely
21 on Kawagoe's purported teachings of a periodic signal, it is respectfully submitted
22 that the rejections are not supported by the prior art and should be withdrawn.
23 Claims 8-11, 13-14, and 39-47 should thus be allowed.
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25

1 **Conclusion**

2 All pending claims 8-26, 29-32, 34-36, and 39-47 are in condition for
3 allowance. Applicants respectfully request reconsideration and prompt issuance of
4 the subject application. If any issues remain that prevent issuance of this
5 application, the Examiner is urged to contact the undersigned attorney before
6 issuing a subsequent Action.

7
8 Respectfully Submitted,

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10 Dated: 10/2/03

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